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From: R. Haferkamp

Date: 12/21/2002

Message:

Mr. Morgan,

Here is the agenda - I look forward to your phone call at 3 pm your time.

R. Haferkamp
314-552-6272

Atty/Client/Matter No.:   3061/51017/06592

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To: Examiners Robert W. Morgan and Joseph Thomas, SPE
Group Art Unit 3626

Re: Patent Application serial no. 09/694,050 filed October 20, 2000

Agenda for Telephonic interview December 23, 2002

I. Brandt teaches an internet portal to a single application software.
Brandt also teaches that this single application software may be a vehicle
rental software program. But, Brandt fails to teach, as claimed, a second,
management software for managing the authorizing, processing and billing of
the reservations as communicated to one of a plurality of service providers
each having its own application software.

   A. Brandt, col. 3, lines 15-47 is the SUMMARY OF THE INVENTION and
explains what Brandt discloses. More particularly, lines 25-47. Brandt
discloses a system and method for providing a user access to application
software over the WWW. Flowmark software is merely an example of such an
application software, and it is used to illustrate a car rental embodiment
where it processes car rental transactions. This further explained in the
specification. See col. 10, lines 17 et seq., for example. At line 17,
"Referring now to FIG. 4, a system 400 allows accessing a FlowMark workflow
system over the WWW from web browser 212."

   B. Brandt, col. 14, line 23 to line 51 , explaining Fig. 7 exemplify
the teaching for a user to access a second rental car provider. The FlowMark
application is not taught or suggested as being capable of handling
reservations for multiple providers. Note that a user at CW1-3 (client
workstations 1-3) have access through WS1-2 (web servers 1-2) to GCS1
(gateway computer system 1) which then provides access to SACS1 (software
application system 1). Thus, Brandt et al's architecture is such that
customers are funneled into a common gateway for each service provider and
must access a separate gateway over the WWW to gain access to a second
service provider. Typically this is done by entering another URL into a web
browser.

   C. The sentence at col. 14, line 53, referenced by the Office as
evidence that the FlowMark application may be used to access a car rental
agency, merely identifies the FlowMark application as one that can be used by
a car rental agency. This sentence, inartfully expressed, merely says that
the preferred embodiment can be described in greater detail by the example of
a user accessing over the WWW the application software of a car rental
agency, which may itself be a FlowMark software program. It does NOT mean to
suggest that the FlowMark software itself can be used to route a user to
another service provider. Continuing to the read the text after this
sentence demonstrates this meaning is correct. For example, see col. 15,
line 22 et seq. which describes a user accessing the web by using his web
browser, entering the URL for a car rental agency, and then entering data for
the rental transaction. Web server application 222 then translates th data

for action by the FlowMark application. The actual xecution of the FlowMark application is then described for several columns of text. But, the FlowMark application is resident at the car rental agencies web site and the transaction is described as a single transaction for the contacted car agency.

Nowhere in any of the figures or text is there any other disclosure or suggestion of the FlowMark application transmitting the reservation to any other web site or service provider, and instead other text and figures disclose a different arrangement. See I.B. above. Nor is there any disclosed capability for a FlowMark application to provide such a connection. For example the Office comments that the FlowMark software may be used to access other rental car agencies over the WWW. There is no such disclosure or description found in Brandt, other than this one sentence, which if interpreted properly and consistently with the balance of Brandt does not so suggest an internet capability.

II. Adding management capabilities to Brandt et al fails to form the claimed combination of two different software programs, one of which has "means for managing" the transaction while the other has means for "filling said reservation".

III. The newly cited "Cendent Real Estate" reference does not in combination with the Brandt et al reference teach the claimed combination. Cendent relied on for teaching a system for providing direct links to multiple providers located at different web sites.

A. Cendent apparently teaches providing a "hyperlink" which, if "clicked", will take the user's web browser over to another web site. Such a routing will merely move the user over to another web site, and no rental transaction data will be available to the first program at the first web site to be "managed". In other words, the connection is not "through" the first web site, but instead "re-established" at a second web site. So, even if the application software (FlowMark software for example) had management capability, it would have no data to manage as the data would be entered directly into the application software found at the second web site.

IV. Suggestions to amend the claims presently pending in order to obtain an allowance of some, at least, even presuming continued disagreement over the interpretation of Brandt et al.

A. Limit the claims to accessing both software programs through a single web site address.

B. Limit the claims to management software for processing third party reservations.

C. Limit the claims to management software for handling high volume of reservations from each of one or more users.

V. The incredible commercial success of the invention, used to process rental vehicle transactions generating literally hundreds of millions of dollars of revenue annually, by the largest rental car company in the world, rebuts any pr sumption of obviousness.

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